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Hearing Date: June 29, 2010 at 11:00 a.m.
Objection Deadline: June 17, 2010 at 4:00 p.m.

Attorneys for Hess Energy Trading Company LLC

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re	:	Chapter 11
LEHMAN BROTHERS HOLDINGS INC., <u>et al.</u> ,	:	Case No. 08-13555 (JMP)
Debtors.	:	(Jointly Administered)
	:	
	:	

**STATEMENT OF HESS ENERGY TRADING COMPANY LLC REGARDING
DEBTORS' TENTH OMNIBUS OBJECTION TO CLAIMS
(AMENDED AND SUPERSEDED CLAIMS)**

Hess Energy Trading Company LLC ("HETCO"), by and through its undersigned counsel, hereby files its Statement regarding the Tenth Omnibus Objection to Claims (Amended and Superseded Claims) (the "Objection") filed by the above-captioned debtors (the "Debtors") and represents as follows:

1. In the Objection, the Debtors seek to disallow and expunge Claim number 22473, timely filed by HETCO against Lehman Brothers Commodity Services Inc. ("LBCS") on September 21, 2009, on the basis that it was amended and superseded by an amended claim (Claim number 62851) filed by HETCO against LBCS on November 2, 2009.

2. In the proposed order attached to the Objection, the Debtors set forth procedures whereby, inter alia:

- “all information included on and all documentation filed in support of any Amended and Superseded Claims, including, but not limited to, derivative and guarantee questionnaires and supporting documentation, shall be treated as having been filed in support of the corresponding Surviving Claims[.]”
- “nothing in this Order or the disallowance and expungement of the Amended and Superseded Claims constitutes any admission or finding with respect to any of the Surviving Claims[.]”
- “this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object and defend on any basis are expressly reserved with respect to, (i) any claim listed on Exhibit A annexed to the Tenth Omnibus Objection to Claims under the heading “Claims to be Disallowed and Expunged” that is not listed on Exhibit 1 annexed hereto and (ii) any Surviving Claim; provided, however, (a) that if the Court subsequently orders that a Surviving Claim did not appropriately amend and supersede the corresponding Amended and Superseded Claim, then the claims agent shall be authorized and directed to immediately reinstate such Amended and Superseded Claim in these chapter 11 cases (the "Reinstated Claim") and the rights of all interested parties with respect to the Reinstated Claim shall be expressly reserved, and (b) that if the Court subsequently orders that a Surviving Claim did appropriately amend and supersede the corresponding Amended and Superseded Claim, then, solely with respect to any

Surviving Claim where the corresponding Amended and Superseded Claim was timely filed, the Surviving Claim shall be deemed to have been filed as of the date of filing of the Amended and Superseded Claim, and the rights of all interested parties with respect to the Surviving Claim shall be expressly reserved[.]”

3. HETCO does not object to the disallowance and expungement of Claim number 22473, leaving Claim number 62851 as the Surviving Claim, provided that the foregoing protections are included in any order entered by the Court to ensure that the disallowance and expungement of Claim number 22473 will not have any effect on the timeliness or propriety of the amended claim filed by Hess as claim number 62851.

4. HETCO reserves its right to further respond to the Objection in the event the foregoing protections are deleted or modified in any respect.

Dated: June 16, 2010

Respectfully submitted,

STROOCK & STROOCK & LAVAN LLP

/s/ Melvin A. Brosterman

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